

109TH CONGRESS
2D SESSION

H. R. 5528

To amend title 28, United States Code, to limit Federal court jurisdiction over State laws restricting pornography, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2006

Mr. CANNON introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to limit Federal court jurisdiction over State laws restricting pornography, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “The Pornography Ju-
5 risdiction Limitation Act of 2006”.

6 **SEC. 2. LIMITATION ON JURISDICTION.**

7 (a) IN GENERAL.—Chapter 99 of title 28, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 1632. Limitation on jurisdiction**

2 “(a) IN GENERAL.—No court created by Act of Con-
3 gress shall have jurisdiction, and the Supreme Court shall
4 have no appellate jurisdiction, to hear or decide a question
5 of whether a State pornography law imposes a constitu-
6 tionally invalid restriction on the freedom of expression.

7 “(b) COURT PRECEDENT NOT BINDING.—A decision
8 of a Federal court, to the extent the decision relates to
9 a question described in subsection (a), is not binding
10 precedent on a State court.

11 “(c) DEFINITIONS.—In this section:

12 “(1) The term ‘State pornography law’ means
13 a law of a State or political subdivision of a State,
14 to the extent the law restricts a depiction, descrip-
15 tion, or display of nudity or sexual conduct.

16 “(2) The term ‘State court’ means a court of
17 a State or political subdivision of a State.

18 “(3) The term ‘State’ means a State of the
19 United States, the District of Columbia, and any
20 commonwealth, territory, or possession of the United
21 States.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 99 of title 28, United States

- 1 Code, is amended by adding at the end the following new
- 2 item:

“1632. Limitation on jurisdiction.”.

